

TO REMOVE CERTAIN USE RESTRICTIONS ON PROPERTY
LOCATED IN NAVAJO COUNTY, ARIZONA

NOVEMBER 10, 2005.—Committed to the Committee of the Whole House on the
State of the Union and ordered to be printed

Mr. POMBO, from the Committee on Resources, submitted the
following

R E P O R T

[To accompany H.R. 1436]

[Including cost estimate of the Congressional Budget Office]

The Committee on Resources, to whom was referred the bill (H.R. 1436) to remove certain use restrictions on property located in Navajo County, Arizona, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE OF THE BILL

The purpose of H.R. 1436 is to remove certain use restrictions on property located in Navajo County, Arizona.

BACKGROUND AND NEED FOR LEGISLATION

In 1979, the City of Winslow, Arizona, with the help of a grant obtained through the Land and Water Conservation Fund, purchased 123 acres of land and developed the Hospitality Golf Park. For reasons including poor turf growth and a lack of patronage, the golf course has become an economic drain on the City. The expense of course upkeep became so high that the City was forced to cease operation of the course in 2003.

Under the terms of the Land and Water Conservation Fund agreement, the City has been told that it must maintain this land for public recreation purposes. For nearly ten years the City has worked within the legislated process to strike an adequate land substitution agreement to use the 123 acres of centrally located land in the best interest of its residents. Due to uncertain land as-

assessment estimations and limited funds, the City has been unable to reach an agreement with the Department of the Interior.

This legislation will give the City the flexibility it needs to make economic use of the land by allowing it to be used for nonrecreational purposes.

COMMITTEE ACTION

H.R. 1436 was introduced on March 17, 2005, by Congressman Rick Renzi (R-AZ). The bill was referred to the Committee on Resources, and within the Committee to the Subcommittee on National Parks. On September 29, 2005, the Subcommittee held a hearing on the bill. On October 19, 2005, the full Committee on Resources met to consider the bill. The Subcommittee was discharged from further consideration of the bill by unanimous consent. No amendments were offered, and the bill was ordered favorably reported to the House of Representatives by unanimous consent.

COMMITTEE OVERSIGHT FINDINGS AND RECOMMENDATIONS

Regarding clause 2(b)(1) of rule X and clause 3(c)(1) of rule XIII of the Rules of the House of Representatives, the Committee on Resources' oversight findings and recommendations are reflected in the body of this report.

CONSTITUTIONAL AUTHORITY STATEMENT

Article I, section 8, and Article IV, section 3 of the Constitution of the United States grant Congress the authority to enact this bill.

COMPLIANCE WITH HOUSE RULE XIII

1. Cost of Legislation. Clause 3(d)(2) of rule XIII of the Rules of the House of Representatives requires an estimate and a comparison by the Committee of the costs which would be incurred in carrying out this bill. However, clause 3(d)(3)(B) of that rule provides that this requirement does not apply when the Committee has included in its report a timely submitted cost estimate of the bill prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974.

2. Congressional Budget Act. As required by clause 3(c)(2) of rule XIII of the Rules of the House of Representatives and section 308(a) of the Congressional Budget Act of 1974, this bill does not contain any new budget authority, spending authority, credit authority, or an increase or decrease in tax expenditures. According to the Congressional Budget Office, enactment of this bill would increase offsetting receipts and direct spending, but "any net change in direct spending would be negligible."

3. General Performance Goals and Objectives. This bill does not authorize funding and therefore, clause 3(c)(4) of rule XIII of the Rules of the House of Representatives does not apply.

4. Congressional Budget Office Cost Estimate. Under clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 403 of the Congressional Budget Act of 1974, the Committee has received the following cost estimate for this bill from the Director of the Congressional Budget Office:

H.R. 1436—A bill to remove certain use restrictions on property located in Navajo County, Arizona

H.R. 1436 would allow about 123 acres of land in Arizona to be sold or used for purposes other than recreation by Navajo County. The county used a grant from the Land and Water Conservation Fund to purchase this property in 1979; under the terms of that grant, the site must be used for recreational purposes. Allowing the county to dispose of the property or use it for other purposes would have no effect on the Federal budget. Enacting H.R. 1436 would not affect Federal revenues or direct spending.

H.R. 1436 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act and would impose no costs on State, local, or tribal governments. Enacting this legislation would benefit Navajo County.

The CBO staff contact for this estimate is Deborah Reis. This estimate was approved by Peter H. Fontaine, Deputy Assistant Director for Budget Analysis.

COMPLIANCE WITH PUBLIC LAW 104-4

This bill contains no unfunded mandates.

PREEMPTION OF STATE, LOCAL OR TRIBAL LAW

This bill is not intended to preempt any State, local or tribal law.

CHANGES IN EXISTING LAW

If enacted, this bill would make no changes in existing law.

